

The Office Action states that the disclosure is objected to under 37 C.F.R. 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. Further, the Office Action states the manner in which the applicants have filed the application makes it impossible to determine which claims are before the examiner. The Office Action states that applicants are required to submit an amendment which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art, and that if original claims 1-37 are to be canceled, then it must be done in compliance with 37 C.F.R. § 1.121. However, under the Rules as amended in December of 1998, it was requested by the Patent and Trademark Office that instead of filing preliminary amendments to change claims in a divisional application filed under 37 C.F.R. § 1.53(b), that applicant reformat the application and provide a new set of claims. Further, it was suggested by the Patent and Trademark Office that a marked up copy of the claims be provided to show comparison and to establish that no new matter was included in the application. In accordance with these instructions, applicants have marked up the copy with a red pen, as noted in the Office Action, to show which claims were pending in the original application and which are no longer included in the presently pending divisional application. Additionally, a clean set of claims was included with the filing, thus designating which claims were currently pending in the application. However, in order to better facilitate prosecution of the present application, Applicant's have amended the application as suggested in the Office Action. Therefore, since applicants have



conformed to the rules as set forth under 37 C.F.R. § 1.53(b) for filing a divisional application, it is respectfully requested that the objection of the disclosure under 37 C.F.R. § 1.71 be reconsidered.

In view of the present amendment and foregoing remarks, reconsideration of the rejections and advancement of the case to issue are respectfully requested.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on 2-9-00


Constance McLean